



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,767	05/14/2001	Kenichi Hamanaka	P/1071-1329	8896

7590

06/05/2003

Edward A Meilman
Dickstein Shapiro Morin & Oshinsky LLP
1177 Avenue of the Americas
New York, NY 10036-2714

EXAMINER

MEDLEY, MARGARET B

ART UNIT

PAPER NUMBER

1714

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

APPLICATION NO. / CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
----------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

11

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Application Serial No. 09/854,767
Art Unit 1714

☒ See Attachment:

Margaret B. Medley
Primary Examiner
Art Unit: 1714

DETAILED ACTION

The timely submission under 37 CFR 1.136(a) for a two month extension of time along with the fee under 37 CFR 1.17 filed on April 18, 2003 is not fully responsive to the prior Office action because applicants have not only responded to the elected Invention of Group I directed to claims 1-6, but applicants have responded to the non-elected Invention of Group II directed to claims 6 and 7 as well as the non-elected Invention of Group III directed to claims 9-11. Since claims 9-11 are drawn to the non-elected invention the claims are not being prosecuted. Therefore, applicants are not permitted to amend the claims because the examiner will not examine the claims to verify if the claims contain any new matter upon applicants filing claims 6-11 in divisional applications. The examiner maintains the position of record that the claims are properly restriction for the reasons made of record in Paper No. 5 dated July 25, 2000. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

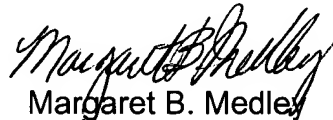
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Margaret B. Medley whose telephone number is 703-

Art Unit: 1714

308-2518. The examiner can normally be reached on Monday to Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan, can be reached on (703) 306-2777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.


Margaret B. Medley
Primary Examiner
Art Unit 1714

MBMedley

June 4, 2003